

**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**Appellant:** Scott E. Klopfenstein  
**Serial Number:** 10/030,797  
**Atty. Docket:** RCA 89,615  
**Filing Date:** May 13, 2002  
**For:** SYSTEM FOR PROGRAM SPECIFIC INFORMATION ERROR  
MANAGEMENT IN A VIDEO DECODER  
**Art Unit:** 2621  
**Examiner:** Hung Q. Dang  
**Customer No:** 24498

**APPEAL BRIEF**

**Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

**Sir:**

In response to the non-final Office Action dated June 9, 2010 and other previous Office Actions, and further to the Notice of Appeal filed on September 9, 2010, Appellant hereby submits an Appeal Brief in accordance with 37 C.F.R. §41.37 for the above-referenced application.

## **I. Real Party in Interest**

The real party in interest is THOMSON Licensing S.A., 46 Quai A. Le Gallo, F-92100 Boulogne-Billancourt, France.

## **II. Related Appeals and Interferences**

There are no prior or pending appeals, interferences, or judicial proceedings known to Appellant, the Appellant's legal representative, or assignee which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

## **III. Status of Claims**

Claims 1-4, 6, 8-9, 11-12 and 19-21 are pending in this application, and are rejected. Claims 5, 7, 10 and 13-18 are cancelled. The rejection of claims 1-4, 6, 8-9, 11-12 and 19-21 is being appealed.

## **IV. Status of Amendments**

No amendment subsequent to the non-final rejection of June 9, 2010 has been filed.

## **V. Summary of Claimed Subject Matter**

In one aspect, a process is claimed in Claim 1 for a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables. See Specification, page 2, lines 11-23, (“[a] processing system decodes packetized program information comprising a plurality of hierarchically ordered information tables.”) The ancillary information in Claim 1 is for use in acquiring and decoding packetized program information to provide a video program for display. See Specification, page 2, lines 13-15, (“[t]he ancillary information is used in acquiring and decoding packetized program information to provide a video program for display”). Further, the process detects a mismatch between a version number of a first table of said program specific information and a corresponding version number of the first table conveyed in a second table. See Specification, page 6, lines 14-18, (“... version numbers of program specific information

tables are compared with corresponding version numbers conveyed in an MGT in order to detect a mismatch.”); Figure 3 (step 253). In addition, the process ensures compatibility of the first table version number conveyed in the first and second tables in response to the detected mismatch using a forced compatible version number. See Specification, page 6, lines 19-24, (“... in response to a detected mismatch (with or without the table re-acquisition of step 255), the VCT version number and the corresponding version number conveyed in an MGT are advantageously forced to be compatible.”); Figure 3 (step 257). The compatible version number is forced before acquiring new information corresponding to at least one of: said first table and said second table. See Specification, page 6, lines 28-29, (“[t]his is done by substituting (or overwriting) the VCT version number conveyed in the MGT with the VCT version number conveyed in the VCT itself.”). The substitution example highlights the efficiency of establishing compatibility without having to acquire new information, i.e., reacquiring one of the tables, which results in delay. See Specification, page 4, line 40 to page 5, lines 12, (“[h]owever, the version number incompatibility is resolved at the expense of incurring additional delay in re-acquiring the VCT.” Further, the process decodes packetized program information using program specific information including the first and second tables, at least one of the first and second tables including the forced compatible version number, to provide a video program for display. See Specification, page 2, lines 20-23, (“[t]he packetized program information is decoded to provide video program for display using the program specific information including the first and second tables including the forced compatible version number.”). The step of ensuring compatibility of the first table version number conveyed in the first and second tables includes at least one of the following steps. First, the step may be substituting a version number for the first table version number by substituting in the first table the first table number conveyed in the second table, to ensure compatibility. See Specification, page 6, lines 28-29, (“[t]his is done by substituting (or overwriting) the VCT version number conveyed in the MGT with the VCT version number conveyed in the VCT itself.”). Second, the step may be substituting the version number for the first table version by substituting in the second table the first table number conveyed in the first table, to ensure compatibility. See Specification, page 6, lines 29-31, (“[a]lternatively, this may be done by substituting (or overwriting) the VCT version number conveyed in the VCT with

the VCT version number conveyed in the MGT.”) Third, the step may be reverting to a previous version of at least one of (a) the first table, and (b) the second table, to ensure version number compatibility. See Specification, page 6, lines 21-23, (“[i]n another embodiment, a previous version of the VCT or MGT providing version number compatibility may be used in response to a detected mismatch.”).

In Claim 2, the method according to claim 1 is further defined to state: wherein said first table comprises a channel map associating a transmission channel carrier frequency with data identifiers used to capture datastreams constituting a program conveyed on a broadcast channel, and said second table contains information for acquiring program specific information conveyed in other tables including identifiers for identifying data packets comprising said first table. See Specification; page 3, lines 30-41.

In Claim 3, the method according to claim 1 is further defined to include the step of examining said program specific information for error indications by examining at least one of, (a) an MPEG transport error indicator, (b) an MPEG discontinuity indicator, (c) an MPEG continuity counter, and decoding said packetized program information in response to said examination determination of an error free condition. See Specification, page 7, lines 11-15 and 25-29.

In Claim 9, a process is utilized in a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables. See Specification, page 2, lines 11-23, (“[a] processing system decodes packetized program information comprising a plurality of hierarchically ordered information tables.”) The ancillary information is for use in acquiring and decoding packetized program information to provide a video program for display. See Specification, page 2, lines 13-15, (“[t]he ancillary information is used in acquiring and decoding packetized program information to provide a video program for display”). Further, the process detects a mismatch between a version number of a first table of the program specific information and a corresponding version number of the first table conveyed in a second table. See Specification, page 6, lines 14-18, (“...

version numbers of program specific information tables are compared with corresponding version numbers conveyed in an MGT in order to detect a mismatch.”); Figure 3 (step 253). In addition, the process decodes packetized program information by disregarding the first table version number conveyed in the first and second tables in response to the detected mismatch. See Specification, page 7, lines 5-10, (“[i]n another embodiment, in step 257, the detected version number incompatibility may be disregarded and the VCT information used for channel acquisition even though there is a version number incompatibility.”). The process also decodes packetized program information by applying program specific information including information in the first table. See Specification, page 7, lines 5-10, (“[i]n another embodiment, in step 257, the detected version number incompatibility may be disregarded and the VCT information used for channel acquisition even though there is a version number incompatibility.”). Further, the process examines the program specific information for an error condition in addition to the detected mismatch. See Specification, page 7, lines 7-10, (“[i]n an alternative embodiment however, the version number incompatibility is only disregarded if there are no other error indications (as exemplified by those described in following step 260) of a disabling corruption of the VCT or MGT data.”). Finally, the process decodes the packetized program information in response to the absence of an error condition when the mismatch is the only detected error condition. See Specification, page 7, lines 23-29, (“In step 265, the decoding of the packetized program information is inhibited for those physical channels associated with a version number mismatch or other error condition as indicated by the database. Therefore, if version number compatibility is being forced or is being disregarded in step 257 and no error condition is detected in step 260, then packetized program information is decoded in step 265 to provide a video or audio program or reproduction on a display or audio device.”)

In Claim 11, the method according to claim 9 is further defined to state: wherein said error condition is indicated by at least one of, (a) an MPEG transport error indicator, (b) an MPEG discontinuity indicator, (c) an MPEG continuity counter. See Specification; page 7, lines 11-15.

In Claim 12, the method according to claim 9 is further defined to state: wherein said second table conveys a plurality of version numbers corresponding to version numbers conveyed in said plurality of hierarchically ordered information tables, and said detecting step includes the step of comparing individual version numbers of said plurality of hierarchically ordered information tables against corresponding individual version numbers conveyed in said second table. See Specification; page 3, lines 19-36.

In Claim 19, a process is utilized in a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables. See Specification, page 2, lines 11-23, (“[a] processing system decodes packetized program information comprising a plurality of hierarchically ordered information tables.”) The ancillary information in Claim 19 is used in acquiring and decoding packetized program information to provide a video program for display. See Specification, page 2, lines 13-15, (“[t]he ancillary information is used in acquiring and decoding packetized program information to provide a video program for display”). Further, the process detects a fault condition in program specific information comprising at least one of, (a) a version number incompatibility between a version number of a first table and a corresponding version number of said first table conveyed in a second table, and (b) a PSI error condition. See Specification, page 6, lines 14-18, (“ ... version numbers of program specific information tables are compared with corresponding version numbers conveyed in an MGT in order to detect a mismatch.”); Figure 3 (step 253); Specification, page 7, lines 11-17, (“[t]he packetized program information is examined in step 260 for error indications.”); Figure 3 (step 260). In addition, the process indicates in a database said transmission channel is associated with said detected fault condition. See Specification, page 7, lines 17-19, (“[t]he detection of such an error condition, or of a table version number mismatch condition, occurring on a particular physical transmission channel, is recorded in a database in step 263.”); Figure 3 (step 263). Finally, the process removes a channel associated with said fault condition from a User’s viewable active channel line-up list. See Specification, page 7, lines 20-22, (“[t]he database is further used in step 270 to delete those channels associated with a version number mismatch or error condition from a User’s channel line-up.”); Figure 3 (step 270).

In Claim 20, the method according to claim 19 is further defined to state: wherein said PSI error condition comprises at least one of, (a) an MPEG transport error, (b) an MPEG discontinuity error, (c) an MPEG continuity count error, and (d) an error indicated by a variance between successive time stamps. See Specification; page 7, lines 11-15.

In Claim 21, the method according to claim 19 is further defined to include the step of indicating a channel as being associated with a fault condition in a User's viewable channel line-up list. See Specification; page 7, lines 33-36.

## **VI. Grounds of Rejection to be Reviewed on Appeal**

The following grounds of rejection are presented for review in this appeal:

- A. The rejection of claims 1-4, 6, 8-9, 11-12 and 19-21 under 35 U.S.C. §101;
- B. The rejection of claims 1, 4, 6 and 8 under 35 U.S.C. §102(e) based on U.S. Patent No. 6, 763,522 issued to Kondo et al. (hereinafter, "Kondo");
- C. The rejection of claim 2 under 35 U.S.C. §103(a) based on Kondo in view of WO 99/03268 by Ozkan et al. (hereinafter, "Ozkan");
- D. The rejection of claim 3, 9 and 11-12 under 35 U.S.C. §103(a) based on Kondo in view of U.S. Patent No. 5,844,595 issued to Blatter et al. (hereinafter, "Blatter");
- E. The rejection of claim 19 under 35 U.S.C. §103(a) based on Kondo in view of U.S. Patent No. 6,763,522 issued to Augenbraun et al. (hereinafter, "Augenbraun");
- F. The rejection of claim 20 under 35 U.S.C. §103(a) based on Kondo in view of Augenbraun, and further in view of Blatter; and
- G. The rejection of claim 21 under 35 U.S.C. §103(a) based on Kondo in view of Augenbraun, and further in view of U.S. Patent No. 6,445,923 issued to Fujimori et al. (hereinafter, "Fujimori").

## **VII. Argument**

**A. Patentability of Claims 1-4, 6, 8-9, 11-12 and 19-21 under 35 U.S.C. §101**

The rejection of claims 1-4, 6, 8-9, 11-12 and 19-21 under 35 U.S.C. §101 should be reversed for at least the following reasons.

Appellant submits that a broadest “reasonable” interpretation of independent claims 1, 9 and 19, in view of the specification, clearly indicates that such claims are necessarily tied to a hardware system, and therefore satisfy the requirements under 35 U.S.C. §101 under the case law of the U.S. Supreme Court - See *Bilski v. Kappos*, 561 U.S. \_\_\_\_, 130 S. Ct. 3218 (2010). Specifically, independent claims 1, 9 and 19 each clearly recite that its respective method is performed “In a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables, said ancillary information being for use in acquiring and decoding packetized program information to provide a video program for display” (emphasis added). Appellant’s specification only describes a “system” that is necessarily implemented through hardware (see system of FIG. 4). Nowhere does Appellant’s specification even suggest that the steps recited by independent claims 1, 9 and 19 may be performed without the aid of such a “system” or machine.

Therefore, Appellant respectfully submits that the broadest “reasonable” interpretation of independent claims 1, 9 and 19, in view of the specification, requires that the methods recited by these claims are necessarily tied to a machine (i.e., “In a system ...”), and thus are clearly statutory under 35 U.S.C. §101 pursuant to the recent case law of the U.S. Supreme Court. Accordingly, Appellant respectfully requests that the Board reverse the rejection of claims 1-4, 6, 8-9, 11-12 and 19-21 under 35 U.S.C. §101.

**B. Patentability of Claims 1, 4, 6 and 8 under 35 U.S.C. §102(e)**

The rejection of claims 1, 4, 6 and 8 under 35 U.S.C. §102(e) based on Kondo should be reversed for at least the following reasons.

***Substitution of Version Number or Reversion of Version***



With respect to independent claim 1, compatibility of version numbers is forced if a mismatch is detected between (1) a version number of a first table appearing in the first table and (2) a version number of the first table appearing in the second table. Appellant's Specification explains that situations may occur where simply trying to reacquire one of the tables will be ineffective or inefficient.

A first situation arises when "[a] broadcaster may erroneously transmit an MGT and VCT that have incompatible version numbers, but that are in all other respects valid, for example." See Specification, page 4. In other words, the broadcaster intended to send compatible tables, but made an error in documenting the versions in one of the tables. In such a situation, the Specification explains that simply attempting to reacquire one of the tables will not resolve the mismatch:

"If a broadcaster erroneously transmits an MGT and VCT that have incompatible version numbers, but that are in all other respects valid, the reacquisition of either the VCT or MGT does not resolve the incompatibility. This is because under these conditions the MGT will never match the VCT. This may potentially produce a failure mode involving continuous re-acquisition of a VCT or MGT". See Specification, page 4.

Simply trying to reacquire the table with same error or the correct table will not resolve the mismatch. Such a reacquisition effort may even lead to a continuous reacquisition that results in a failure mode.

A second situation arises when the following occurs:

"Alternatively, a version number mismatch may occur if, after an MGT is acquired, but before a VCT is acquired, program specific information tables are updated. The updated tables contain new version numbers and this results in the MGT conveying an older VCT version number than the version number of the acquired VCT." See Specification, page 4.

The reacquisition of the VCT may successfully resolve the incompatibility in this second situation, but with the added inefficiency of having to reacquire the VCT:

“In contrast, if a version number mismatch occurs through the intervening update of program specific information tables occurring between the acquisition of an MGT and a VCT, the re-acquisition of the VCT successfully resolves the incompatibility. However, the version number incompatibility is resolved at the expense of incurring additional delay in re-acquiring the VCT.” See Specification, pages 4-5.

Accordingly, such a solution is inefficient. Claim 1 provides efficient solutions that are both efficient and effective in resolving the mismatch described above. These solutions do **not require a re-acquisition of a table**. The first two solutions allow for a substitution of a **version number**. First, if there is a mismatch between a first version number in the first table and the second table, the first version number appearing in the second table can be substituted for the version number that appears in the first table. Second, if there is a mismatch between a first version number in the first table and the second table, the first version number appearing in the first table can be substituted for the version number that appears in the second table. Either of these alternatives **change the version number in one table so that the version number in both tables match**. The third solution involves reversion to a previous version of at least one of the two tables. In other words, if attempting to utilize a newer version creating problems, the older versions that were working properly may be utilized.

Kondo is solely directed to **re-acquisition of a table** if a mismatch in version numbers occurs:

“If the two version numbers are different, or no corresponding version of the current VCT exists in memory, the current VCT is read 112 from the digital tuning subsystem at step 112. The stored VCT is then replaced, or updated, at step 113 with the currently broadcasting VCT.” See Kondo, col. 11, lines 3-8.

By **replacing or updating the VCT**, Kondo is clearly **reacquiring** a table as opposed to **substituting a version number or reverting to a previous version**. Appellant respectfully submits that a previous Office Action of March 24, 2008, citing in

part to the passage above, admits that Kondo is reacquiring a table instead of a substitution of version numbers or reversion to a previous version:

“According to at least the three passages quoted above, clearly Kondo et al disclose comparing the VCT table from the broadcasting MGT (see Table 1 in column 9 for illustration of the contents of a MGT), and if a mismatch occurs (new VCT is available), the VCT table in the system is updated by replacement, which is the operation described by (2) above. For that reason, Kondo et al. clearly and sufficiently anticipates the limitation. See Office Action of March 24, 2008, page 3.

Claim 1 does not recite that a table is updated by replacement as suggested by the aforementioned Office Action. On the contrary, claim 1 specifically provides solutions to **avoid reacquiring a table**. Kondo does not address the problems of reacquisition discussed above or any solutions that are effective or efficient as provided in claim 1. Kondo actually involves one of the problems discussed above in that it automatically attempts to reacquire a table, which is inefficient. Further, such reacquisition could potentially lead to a failure mode of failure mode from constant reacquisition if the broadcaster made an error in the version numbers. Therefore, Kondo is an example of the problems that claim 1 is solving, not a teaching of claim 1.

Accordingly, Kondo does not teach “wherein said step of ensuring compatibility of said first table version number conveyed in said first and second tables includes at least one of the steps of, substituting a version number for said first table version number by substituting in said first table said first table number conveyed in said second table, to ensure compatibility; substituting said version number for said first table version by substituting in said second table said first table number conveyed in said first table, to ensure compatibility; and reverting to a previous version of at least one of (a) said first table, and (b) said second table, to ensure version number compatibility” as recited in claim 1.

### ***Ensuring Compatibility***

By reciting “ensuring compatibility of said first table version number conveyed in said first and second tables in response to said detected mismatch using a forced

compatible version number, wherein using said compatible version number is forced before acquiring new information corresponding to at least one of: said first table and said second table,” (emphasis added) claim 1 highlights that the resolution of the mismatch occurs by forcing the compatibility of the version numbers **without reacquiring data for a table**. The Office Action of June 9, 2010 submits that Kondo teaches “wherein using said compatible version number is forced before acquiring new information corresponding to at least one of: said first table and said second table.” See Office Action of June 9, 2010, page 10. Page 3 of this same Office Action states that “[f]or example, as disclosed by Kondo et al., the version number of the VCT in the MGT is used or, in other words, forced into that of the VCT in the system before the next piece of new information of either the VCT or MGT from broadcasting is available.” Appellant respectfully submits that even some of the passages cited by the Office Action of June 9, 2010 (e.g., Kondo, col. 9, lines 6-9, 25-28) explain that **new information** is obtained in Kondo in response to a mismatch **prior to compatibility**. For example, Kondo explains that “[w]henver the system of the present invention detects a change in the VCT version number, the VCT content has changed and must necessarily be reloaded into memory.” See Kondo col. 9, lines 6-9. Accordingly, Kondo’s approach to attempting to resolve incompatibility is to obtain new information, e.g. the VCT content that has changed. In contrast, claim 1 resolves the incompatibility, as discussed above, without having to acquire new information. Therefore, Kondo does not teach “ensuring compatibility of said first table version number conveyed in said first and second tables in response to said detected mismatch using a forced compatible version number, wherein using said compatible version number is forced before acquiring new information corresponding to at least one of: said first table and said second table” (emphasis added) as recited in claim 1.

Accordingly, Appellant submits that the rejection of independent claim 1 under 35 U.S.C. §102(e) should be reversed. Further, the rejections of claims 4, 6, and 8 under 35 U.S.C. §102(e) should also be reversed as these claims depend from claim 1.

### **C. Patentability of Claim 2 under 35 U.S.C. §103(a)**

The rejection of claim 2 under 35 U.S.C. §103(a) based on the proposed combination of Kondo and Ozkan should be reversed for at least the same reasons stated above in connection with claim 1, from which claim 2 depends, since Ozkan is unable to remedy the deficiencies of Kondo. Accordingly, Appellant respectfully requests that the Board reverse the rejection of claim 2 under 35 U.S.C. §103(a).

**D. Patentability of Claims 3, 9 and 11-12 under 35 U.S.C. §103(a)**

The rejection of claims 3, 9 and 11-12 under 35 U.S.C. §103(a) based on the proposed combination of Kondo and Blatter should be reversed for at least the following reasons.

First, claim 3 depends from independent claim 1. Accordingly, the rejection of this claim should be reversed for the reasons discussed with respect to claim 1 since Blatter is unable to remedy the deficiencies of Kondo.

With respect to independent claim 9, the Office Action of June 9, 2010 asserts that col. 11, lines 2-10 of Kondo teach “disregarding said first table version number conveyed in said first and second tables in response to said detected mismatch.” As discussed above with respect to claim 1, this section of Kondo addresses replacing or updating a table. By disregarding the first table version number, both tables are utilized as in their current state. If Kondo taught disregarding the first table version number, Kondo would not teach replacing or updating a table. Therefore, Kondo does not teach “disregarding said first table version number conveyed in said first and second tables in response to said detected mismatch” as recited by claim 9.

Accordingly, Appellant submits that the rejection of independent claim 9 under 35 U.S.C. §103(a) should be reversed. Further, the rejections of claims 11 and 12 under 35 U.S.C. §103(a) should also be reversed as these claims depend from claim 9.

**E. Patentability of Claim 19 under 35 U.S.C. §103(a)**

The rejection of claim 19 under 35 U.S.C. §103(a) based on the proposed combination of Kondo and Augenbraun should be reversed for at least the following reasons.

The Office Action of June 9, 2010 admits that Kondo does not teach “removing a channel associated with said fault condition from a User’s viewable active channel line-up list” as recited by claim 19. See Office Action, page 15. The Office Action asserts that Augenbraun provides such a teaching. See Office Action, page 15. In particular, the Office Action refers to col. 5, lines 13-17 of Augenbraun, which states that “[f]inally, it is also possible to customize the channel guide in that the channels that the user rarely accesses can be removed upon the initial display; this customization is not automatic—direct user interaction with the StarSight system is required.” As indicated above, Augenbraun does not teach that the removal of the channel is associated with a **fault condition**, as recited by claim 19. On the contrary, Augenbraun teaches that a user can directly remove a working channel that is rarely utilized. Accordingly, Appellant respectfully requests that the Board reverse the rejection of claim 19 under 35 U.S.C. §103(a).

#### **F. Patentability of Claim 20 under 35 U.S.C. §103(a)**

The rejection of claim 20 under 35 U.S.C. §103(a) based on the proposed combination of Kondo, Augenbraun and Blatter should be reversed for at least the same reasons stated above in connection with claim 19, from which claim 20 depends, since Blatter is unable to remedy the deficiencies of Kondo and Augenbraun. Accordingly, Appellant respectfully requests that the Board reverse the rejection of claim 20 under 35 U.S.C. §103(a).

#### **G. Patentability of Claim 21 under 35 U.S.C. §103(a)**

The rejection of claim 21 under 35 U.S.C. §103(a) based on the proposed combination of Kondo, Augenbraun and Fujimori should be reversed for at least the same reasons stated above in connection with claim 19, from which claim 21 depends, since Fujimori is unable to remedy the deficiencies of Kondo and Augenbraun.

Accordingly, Appellant respectfully requests that the Board reverse the rejection of claim 21 under 35 U.S.C. §103(a).

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Respectfully submitted,

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## **VIII. Claims Appendix**

1. (previously presented) In a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables, said ancillary information being for use in acquiring and decoding packetized program information to provide a video program for display, a method comprising the steps of:

detecting a mismatch between a version number of a first table of said program specific information and a corresponding version number of said first table conveyed in a second table;

ensuring compatibility of said first table version number conveyed in said first and second tables in response to said detected mismatch using a forced compatible version number, wherein using said compatible version number is forced before acquiring new information corresponding to at least one of: said first table and said second table; and

decoding packetized program information using program specific information including said first and second tables, at least one of said first and second tables including said forced compatible version number, to provide a video program for display,

wherein said step of ensuring compatibility of said first table version number conveyed in said first and second tables includes at least one of the steps of,

substituting a version number for said first table version number by substituting in said first table said first table number conveyed in said second table, to ensure compatibility;

substituting said version number for said first table version by substituting in said second table said first table number conveyed in said first table, to ensure compatibility; and

reverting to a previous version of at least one of (a) said first table, and (b) said second table, to ensure version number compatibility.

2. (original) A method according to claim 1, wherein  
said first table comprises a channel map associating a transmission channel carrier frequency with data identifiers used to capture datastreams constituting a program conveyed on a broadcast channel, and



said second table contains information for acquiring program specific information conveyed in other tables including identifiers for identifying data packets comprising said first table.

3. (previously presented) A method according to claim 1, including the step of examining said program specific information for error indications by examining at least one of, (a) an MPEG transport error indicator, (b) an MPEG discontinuity indicator, (c) an MPEG continuity counter, and

decoding said packetized program information in response to said examination determination of an error free condition.

4. (original) A method according to claim 1, wherein said second table conveys a plurality of version numbers corresponding to version numbers conveyed in said plurality of hierarchically ordered information tables, and said detecting step includes the step of,

comparing individual version numbers of said plurality of hierarchically ordered information tables against corresponding individual version numbers conveyed in said second table.

5. (cancelled)

6. (previously presented) A method according to claim 1, wherein said substituting step comprises overwriting said first table version number conveyed in at least one of (a) said first table, and (b) said second table, to ensure compatibility.

7. (cancelled)

8. (previously presented) A method according to claim 1, wherein said step of ensuring compatibility of said first table version number conveyed in said first and second tables includes the step of,

acquiring at least one of (a) a new version of said first table, and (b) a new version of said second table, to ensure version number compatibility after said forcing operation is performed.

9. (previously presented) In a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables, said ancillary information being for use in acquiring and decoding packetized program information to provide a video program for display, a method comprising the steps of:

detecting a mismatch between a version number of a first table of said program specific information and a corresponding version number of said first table conveyed in a second table;

decoding packetized program information by,

disregarding said first table version number conveyed in said first and second tables in response to said detected mismatch and by applying program specific information including information in said first table;

examining said program specific information for an error condition in addition to said detected mismatch; and

decoding said packetized program information in response to the absence of an error condition when the mismatch is the only detected error condition.

10. (cancelled)

11. (previously presented) A method according to claim 9, wherein said error condition is indicated by at least one of, (a) an MPEG transport error indicator, (b) an MPEG discontinuity indicator, (c) an MPEG continuity counter.

12. (original) A method according to claim 9, wherein said second table conveys a plurality of version numbers corresponding to version numbers conveyed in said plurality of hierarchically ordered information tables, and said detecting step includes the step of,

comparing individual version numbers of said plurality of hierarchically ordered information tables against corresponding individual version numbers conveyed in said second table.

13-18. (cancelled)

19. (original) In a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables, said ancillary information being for use in acquiring and decoding packetized program information to provide a video program for display, a method comprising the steps of:

detecting a fault condition in program specific information comprising at least one of, (a) a version number incompatibility between a version number of a first table and a corresponding version number of said first table conveyed in a second table, and (b) a PSI error condition;

indicating in a database said transmission channel is associated with said detected fault condition; and

removing a channel associated with said fault condition from a User's viewable active channel line-up list.

20. (original) A method according to claim 19, wherein said PSI error condition comprises at least one of, (a) an MPEG transport error, (b) an MPEG discontinuity error, (c) an MPEG continuity count error, and (d) an error indicated by a variance between successive time stamps.

21. (original) A method according to claim 19, including the step of indicating a channel as being associated with a fault condition in a User's viewable channel line-up list.

## **IX. Evidence Appendix**

None.

**X. Related Proceedings Appendix**

None.

